

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

BILLY RAY HELLARD,

Petitioner,

v.

3:07-cv-144

HOWARD CARLTON, Warden,

Respondent.

**JUDGMENT ORDER**

In accordance with the accompanying Memorandum and Order, the petition for the writ of habeas corpus is **DENIED** and this action is **DISMISSED**. Should the petitioner give timely notice of an appeal from this decision, such notice will be treated as an application for a certificate of appealability, which under the circumstances is hereby **DENIED**. The court further **DENIES** the petitioner leave to proceed *in forma pauperis* on appeal.

**E N T E R:**

s/ Thomas W. Phillips  
United States District Judge

ENTERED AS A JUDGMENT  
s/ Patricia L. McNutt  
CLERK OF COURT